An Coimisiún Pleanála

Commission Order

PL-501588-GY-26

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 2660511

Appeal by Joe Callanan against the decision made on the 27th day of May, 2026 by Galway County Council to grant subject to conditions a permission to John and Darragh Callanan in accordance with the said plans and particulars lodged with the said Council.

Proposed Development: Permission to construct (1) Slatted tank (2) Cubicle shed with slatted tank (3) Silage slab and all associated site works at Gortroe, Ardrahan, County Galway.

Decision

DISMISS the said appeal under subsection (1) (b) of section 138 of the Planning and Development Act, 2000, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature of the appeal, which is confined to a sole issue - that the ownership of lands is in dispute and which contains Folio detail in relation to the subject site, to the response to the appeal from the applicant, to section 5.13 of the, 'Development Management Guidelines for Planning Authorities' published by the Department of the Environment, Heritage and Local Government, published in 2007, which states, 'the planning system is not designed as mechanism for resolving disputes about title to land or premises or rights over land' and to Section 34(13) of the Planning and Development 2000, as amended, which states that a person is not entitled solely by reason of a permission to carry out any development, the Commission determined that the nature of the appeal is such that the grounds of appeal set out do not relate to any material planning consideration relevant to the substance of the application. In this regard the Commission decided to dismiss the current referral case under section 138(1)(b)(i) of the Planning and Development Act, 2000, as amended.

In reaching this determination, all parties to the appeal are reminded of the provisions of Section 34(13) of the Planning and Development Act 2000, as amended.

Paul Caprani
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.
Dated this 23rd **day** October **2026.**